



**U.S. Department of Justice**

United States Attorney  
Eastern District of Pennsylvania

Mark J. Sherer  
Assistant United States Attorney  
Direct: (215) 861-8445  
mark.sherer@usdoj.gov

615 Chestnut Street, Suite 1250  
Philadelphia, Pennsylvania 19106-4476  
Telephone: (215) 861-8200  
Facsimile: (215) 861-8618

January 31, 2023

**VIA ECF**

Honorable Mitchell S. Goldberg  
United States District Judge  
17614 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

RE: ***Kirtz v. TransUnion LLC***, Civil No. 20–5231  
Status Report on Potential Petition for Writ of Certiorari to U.S. Supreme Court

Dear Judge Goldberg:

In accord with the Court's November 28, 2022 Order, I write on behalf of the federal government defendant, the United States Department of Agriculture Rural Development Housing Service (USDA), to report on the status of the federal government's potential petition for a writ of certiorari to the U.S. Supreme Court in this matter.

On January 17, 2023, the Solicitor General requested, and the Supreme Court granted, an extension of time in which the government may file a petition for a writ of certiorari to March 3, 2023. *See* Application No. 22A642 (U.S. Jan. 17, 2023). The USDA therefore respectfully requests that this Court keep this case in civil suspense pending a potential petition for writ of certiorari, with the USDA to file another letter status update regarding such a petition on or before March 10, 2023.

Counsel for the Plaintiff and for defendant PHEAA (the only other remaining parties) have both stated that they concur in the USDA's request to keep this matter in civil suspense through at least March 10, 2023, making this request unopposed.

Respectfully,

JACQUELINE C. ROMERO  
United States Attorney

A handwritten signature in blue ink, reading "Mark J. Sherer", is located below the typed name of the Assistant United States Attorney.

MARK J. SHERER  
Assistant United States Attorney

cc: Matthew B. Weisberg, Esquire, counsel for Plaintiff Reginald Kirtz (via ECF)  
Andrew Petsu, Esquire, counsel for defendant PHEAA (via ECF)

**CERTIFICATE OF SERVICE**

I certify that on this date, the foregoing was filed electronically and is available for viewing and downloading from the Court's ECF system, and the ECF system will automatically serve a copy on counsel for all parties.

Dated: January 31, 2023

/s/ Mark J. Sherer  
MARK J. SHERER  
Assistant United States Attorney